

Remarks

Claim 1 is pending in the application. Applicant notes that single claim 1, which originated from a parent application, was filed in the instant divisional application to meet the statutory filing requirements. Applicant has canceled claim 1 without prejudice, and has added new claims 29-48.

The Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by *Russo et al.* (P.N. 5,701,383). Claim 1 was further rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,208,804.

Applicant's cancellation of claim 1 renders the Examiner's rejection of this claim moot. Applicant's new claims 29-48 are directed to an invention quite similar to that of canceled claim 1, with the addition of a presentation control window buffer feature. Entry of new claims 29-48 is respectfully solicited.

New claims 29-48 find support throughout Applicant's disclosure, including, for example, page 40, line 9 through page 43, line 9, and page 70, line 3 through page 71, line 21, and the associated drawings that accompany the text.

As was mentioned above, the Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by *Russo*. In rejecting claim 1, the Examiner states that *Russo* discloses a video recording/reproducing apparatus that shows all of the limitations recited in claim 1. Although Applicant does not acquiesce to the Examiner's characterization of the *Russo* teachings with respect to claim 1, now canceled, Applicant directs the Examiner's attention to a number of features recited in the new claims that are clearly not taught or suggested in *Russo*.

Russo teaches a disk drive which includes read heads that are independent of the write heads. The write heads are employed for recording, and the read heads are used for playback. Moreover, *Russo* teaches use of separately controlled actuators so that the respective heads do not interfere mechanically.

In contrast, Applicant's claims 29 and 42 recite a single actuator having elongated arms, and a read/write transducer disposed on each of the elongated arms of the actuator. As such, *Russo* does not anticipate new claims 29 and 42.

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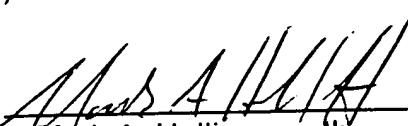
Further, *Russo's* methodology of writing and reading data requires a dual-actuator implementation. *Russo* concedes that, in order to use a single actuator implantation with *Russo's* read/write methodology, it necessarily would be required to alternate between writing, repositioning, reading, and repositioning again, which could produce undesirable noise and heat, thereby shortening the lifetime of the drive and perhaps generating unwanted visual artifacts in need of correction. *Russo* also acknowledges that this would also require buffering of at least several frames of video during record and playback operations.

Applicant's claimed apparatus and method, in contrast, provide for VCR-type control of a multimedia presentation through employment of a read/write methodology that requires only one actuator from which a number of read/write heads are supported. Applicant's claimed approach eliminates the need for a second actuator and its attendant support circuitry and chassis space and power requirements.

Accordingly, Applicant respectfully asserts that *Russo* neither anticipates nor renders obvious Applicant's new claims 29-48. It is respectfully submitted that new claims 29-48 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

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